



Planning and Zoning Board October 12, 2017 at 6:30 pm

MINUTES

Attendance

Board members present for the meeting were:

Chairman Peter Prichard
Vice-Chairman Craig Groce
Member Harlean Botha
Member Rob Taylor, Alternate
Member Lee Langston, Alternate

Board members absent for the meeting were:

Member Vinnie Goel

Staff members present for the meeting were:

Courtney Tanner, Planning Director
Benjamin Howell, Long Range Planning Manager
Michele Stegall, Current Planning Manager
Eliot Ward, Planner I
Marty Saunders, Secretary to the Board

1. Call to Order

Chairman Peter Prichard called the meeting to order at 6:35 pm.

2. Invocation

Member Groce opened the meeting with the invocation.

3. Adoption of Agenda

MOTION: *Member Botha* made a motion to adopt the October 12, 2017 agenda. *Member Groce* seconded the motion which passed unanimously.

Chairman Prichard determined that *Alternate Member Taylor and Alternate Member Langston* were both voting members due to the vacancy on the Board and the absence of *Member Goel*.

4. Approval of Minutes

MOTION: *Member Langston* made a motion to approve the September 14, 2017 meeting minutes. *Member Groce* seconded the motion, which passed unanimously.

Due to limited review time, action on the Planning and Zoning Board Work Session Minutes from the September 21, 2017 meeting were deferred until the November 9, 2017 meeting.

5. Presentations

None

6. Public Address

None

7. Public Comment Session - Old Business

2017-222-0: Draft Comprehensive Transportation Plan Update

Continued from September 14, 2017 meeting}

Benjamin Howell, Long Range Planning Manager gave the Planning and Zoning Board a brief presentation on the process. This included an overview of the tentative schedule and more information on the draft plan received. He also described the public comment portal located on the Transportation Plan Update website. Total comments received to date were 132. The public can continue to provide comments through the portal, and an updated spreadsheet will be provided in the next meeting packet. The portal will close once the Planning and Zoning Board public comment session is closed, which is tentatively scheduled for November 9, 2017. The final draft is tentatively scheduled to be brought before the Board for recommendation at the December meeting and the Board's recommendation will be forwarded to Town Council.

Chairman Prichard then opened the floor for public comments at 6:45 pm.

- a. **Karen Butler** of 1204 Village Market Place #201, Morrisville, NC came forward to oppose the Crabtree Crossing extension. She showed a brief video and stated that Crabtree Crossing is a residential road not a connector or a thoroughfare, even by the transportation consultants own definition. The video was made at 4:00 pm Wednesday the 11th, with the exception of the video of the garbage collection on Monday the 9th, and she believes the video depicts the typical use of the road. It shows garbage collection on Monday, school bus stops, mail deliveries, bike paths, and golf cart usage. There are no pass zones in this neighborhood.
- b. **Fran Salman** of 1208 Crabtree Crossing Parkway, Morrisville, NC spoke against the Crabtree Crossing extension. She indicated that Crabtree Crossing Parkway, between Morrisville Parkway and Cary Parkway, is approximately 2 miles long. In that 2 miles, there are 13 speed bumps, 3 golf cart crossings and 11 spaces between medians for people to take u-turns to access driveways and it has a 25 mph speed limit. The street is a typical neighborhood street. Diverting traffic from thoroughfares would fundamentally change the character of the neighborhood. Traffic problems occurred during the construction of the elevated railway over Morrisville Parkway. In-coming traffic did not respect the speed limits or stop signs and traffic was regularly backed up. Crabtree Crossing cannot handle the altered traffic through the neighborhood that he believes will result if this connection is constructed
- c. **Larry Creglow**, of 125 Bending Oak Way, Morrisville, NC. He stated that heavy traffic affects Crabtree Crossing and Preston Grande Way. He too is opposed to the Crabtree Crossing extension. He thought the issue was resolved in the 2009 Plan update. The resolution at the time was to build a bicycle path, which has yet to be constructed. It was determined to be a "local" road and the reasons to keep it that way continue. The construction of the railway overpass proved that traffic will find the local roads to use as a cut through. The traffic was often at a standstill. Through traffic was dangerous. The problems seem to be tied to commuter traffic. He went on to add that due to the constrained geography, he believed that the priority should be to continue to improve NC54 and Davis Drive to move

commuter traffic. The next priority would be to improve neighborhood mobility and accessibility. A neighborhood road should not be turned into a collector.

- d. **Alan Knuckles** of 105 Bending Oak Way, Morrisville, NC. He stated he was the Preston Community Association (PCA) president. In the aftermath of the overpass construction, his number one concern is safety. The next issue is, a result of today's technology, sending traffic to the shortest routes possible through a neighborhood, a community instead of a major thoroughfare like Davis Drive and NC 54. As the President of the PCA, he read into the record a statement from his association regarding their opposition to the Crabtree Crossing extension proposed in the Comprehensive Transportation Plan. They believe that effects on the Preston community far outweigh the potential benefits. They urged the removal of the Crabtree Crossing extension as a connector to Town Hall Drive from the Plan. It is recommended that it remain a greenway as it was approved in 2009 Transportation Plan.
- e. **Tony Owen** of 749 Crabtree Crossing Parkway, Cary, NC. Mr. Owen, President of Preston Falls Villas Homeowners Association, asked the residents of his association to stand so the Board could see the number of concerned citizens present. By converting Crabtree Crossing into a thoroughfare, the residents are concerned about the character of their neighborhood. Crabtree Crossing was designed as a collector street and not designed to handle the type of traffic coming off 147. Commuter traffic is the number one issue. A number of improvements to roads such as NC54, from Cary to Durham, or Aviation Parkway could serve as alternatives. He also brought up technology affecting the movement of traffic.
- f. **Laura Toombs** of 613 Crabtree Crossing Parkway, Cary, NC. She agreed with all the speakers before her. She had lived in New York City and Los Angeles, CA. Residential roads are never a solution to commercial problems. She specifically brought up Hayvenhurst Avenue in Encino, CA and the problems that resulted from re-routing traffic through a residential neighborhood. She believes that NC 54 is what needs to be fixed.
- g. **Lisa Riegel**, of 104 Grey Bridge Row, Cary, NC. She said to connect Crabtree Crossing to 147 and 540 would be a bad idea. Ultimately, it was supposed to be part of the greenway, and that would better serve the community as an internal connector for bikes and walkers.
- h. **Gary Yarbrough** of 121 Bending Oak Way, Morrisville, NC. He indicated that he was in agreement with the prior comments made. He wanted to add that all the streets aren't Crabtree Crossing with the barriers. The other streets, Ridge Creek, Preston Grande Way, and others, are residential streets with garages facing the street. Safety issues arose during the detour when people had to back their cars onto these roads. Crossing those streets at the stop signs was also difficult.
- i. **Terry Lohman** of 745 Crabtree Crossing Parkway, Cary, NC. He wanted to emphasize that the upgrade to the railway has proved that commuters will cut through neighborhoods. He believes the problem is with NC54. He too opposes the Crabtree Crossing extension.
- j. **Renee Troy** of 762 Crabtree Crossing Parkway, Cary, NC. Due to the work done on Morrisville Parkway in 2015, drivers were encouraged to use a 25 mph speed limit on Crabtree Crossing Parkway to Cary Parkway. Increased traffic, excessive speeding, and illegal passing resulted. The extension would make a previously temporary problem into a permanent one.

- k. **Barry D'Amour** of 1001 Kelton Cottage Way, Morrisville, NC. He represented the 27 homes in the Kelton Square Condominium Association, which borders on Crabtree Crossing. From a safety perspective, the added traffic would be a burden to the community. The 8.5 million cost is another issue.
- l. **Ruth Dobson-Torres** of 100 Pember Place, Cary, NC. She and her husband are adamantly opposed to the Crabtree Crossing extension. She believes that it would encourage a new commuter and commercial thoroughfare due to new driver technology. She believes that traffic congestion will occur, as it did during the Morrisville Parkway grade separation. She also believes that it will negatively impact property values.
- m. **Ron Woodard** of 208 Lewiston Court, Cary, NC. He strongly opposed the Town Hall Drive and Crabtree Crossing extension. He is opposed to the cut-thru traffic to Cary Parkway that will result. He believed that Crabtree Crossing is not designed to serve as a thoroughfare and Cary would not benefit from the connection. This will benefit commuters from RTP.
- n. **Jim Matzko** of 106 Hampton Pines Drive, Morrisville, NC. His main concern is the decrease in property values of their homes if the connection is made to NC147 and the Triangle Expressway. In 2009, he was assured that Crabtree Crossing was a safety issue for fire protection. This proposal included making it into a greenway with a bridge for fire truck access.
- o. **Margaret Broadwell** of 109 Stella Court, Morrisville, NC. Ms. Broadwell introduced herself as a former mayor, councilwoman, and Planning and Zoning Board member. She presented a petition from the Greenwood subdivision objecting to connecting Green and Clements Drive. The petition stated that the project was a waste of money, a safety issue and would create traffic congestion. She would like the present Town Council to maintain the 2009 Transportation Plan decision to remove the connection.
- p. **Wayne Love** of 760 Crabtree Crossing Parkway, Cary, NC. He remembers when NC 54 had about the same amount of traffic as Crabtree Crossing does today. He stated that NC 54 needs to be upgraded. The grade crossings over the railroad will make a difference.
- q. **Charlie Wynne** of 1164 Crabtree Crossing Parkway, Morrisville, NC. He too opposes the extension of Crabtree Crossing. He added that, speeding in the neighborhood has been presented as the number one problem. Police have been present in the past to monitor traffic and safety issues. He felt the proposed extension only serves commuters and not the community.
- r. **Patty Cheng** of 304 Millet Drive, Morrisville, NC. She stated that there are a couple of multi-million dollar projects that have never been fully vetted by local residents. She referenced that the 147 connector to Town Hall Drive has never been vetted. She further cited page 3-9 of the proposed Comprehensive Transportation Plan, and her concern regarding connecting 147 and 540 directly to the residential communities. Information regarding the improvements to Morrisville-Carpenter Road have not been conveyed to the individual communities.

- s. **Peter and Christina Lindross** of 155 Prestonian Place, Morrisville, NC. They oppose the extension at Crabtree Crossing. Mr. Lindross re-iterated the issues, such as congestion and pollution, which occurred when the grade separation for the railroad was built along Morrisville Parkway and noted that these would be concerns again.
- t. **Steve Grow** spoke on behalf of his mother who lives at of 742 Crabtree Crossing Parkway, Cary, NC. He expressed his concern about extending Crabtree Crossing to the Town Hall Drive and McCrimmon Parkway corridor. He says as a commuter, the area will be a disaster.
- u. **Lynn Marn** of 104 Prestonian Place, Morrisville, NC. She agreed with what had already been said by the speakers before her. She too is opposed to the Crabtree Crossing extension.
- v. **Susan Alvey** of 153 Prestonian Place, Morrisville, NC. She also spoke in opposition of the Crabtree Crossing extension. Previous work on Morrisville Parkway made her street uncrossable and she does not want to see it happen again.
- w. **Burgunde Winz** of 120 Hampton Pines Drive, Morrisville, NC. Ms. Winz came forward and registered her opposition to the Crabtree Crossing Parkway.

That concluded public comments. Staff noted that the public comment session will remain open until the next meeting, November 9th.

Member Groce stated that he wanted to be sure the cost estimates for the various projects proposed in the plan are up to date. He also brought information about Crabtree Crossing to the meeting; specifically regarding the floodplain. He has interacted with his neighbors and has heard their concerns. He voiced his concern that sufficient opportunities for public involvement in the preparation of the plan had not been provided. He wanted to reinforce his belief that the proposed Comprehensive Transportation Plan should be data driven, and the Plan was prepared using bad assumptions.

Member Langston would like more information regarding the 147 connection. It should be clarified that it is in the proposed Comprehensive Transportation Plan for informational purposes. Identifying committed projects vs. proposed projects in relationship to NCDOT projects would be beneficial.

Member Taylor wanted the scenario planning clarified so the Board can see what the traffic outcome would be without these extensions. The Board would then better be able to make decisions. He continued to say that it would be desirable to see all committed projects plus potential improvements that have been discussed. Other projects could then be removed, such as local improvements like Green Drive or Crabtree Crossing.

Chairman Prichard brought up 147 again. The proposal for 147 seems to be tied to continuing onto McCrimmon Parkway or a T-junction continuing onto an extension of Little Drive. He wanted to know the status of that scenario. *Mr. Howell* said NCDOT has not started their in depth design work. Some traffic forecasts have been proposed having 147 coming into McCrimmon Parkway as more of a local boulevard.

Member Groce asked if there was an alternate route that would connect into Davis Drive instead of McCrimmon Parkway. *Mr. Howell* said that the Hotspot Study evaluated that option. It is funded through CAMPO, not NCDOT. The ultimate design of the road and the environmental permits needed may require more studies of alternative options. The alignments may be adjusted.

Member Langston said that it sounded like there was almost no chance that 147 will not connect to McCrimmon, regardless of whether there will be a connection to Little Drive. That would mean fewer commuters. *Member Taylor* would like to hear if we took the connection from 147 and the highway coming all the way down to Morrisville Parkway out of the proposed Comprehensive Transportation Plan what the outcome would be. If that was out of the picture, he suspected that citizens on the north side of Morrisville would want better access to south side where their children go to school. He was curious what impact that would have on the citizen's overall opinion of the connection.

Director Tanner explained that in her recent meeting with the consultants, if Crabtree Crossing was to stay in the proposed Comprehensive Transportation Plan it would need a corresponding policy action statement. That statement could state that no consideration of extending or building the road could occur until such time that the Town definitively knew what was happening with 147. . She stated that any intersection improvements also needed to be tied to an action statement that is completely clear.

Member Taylor stated that the neighborhood traffic needs to be controlled to minimize the impact. *He further* added that it would be helpful to clarify what components the Town has control over and what NCDOT has control over.

Member Groce referenced the traffic circle planned on Town Hall Drive and inquired about a conversation between Director Tanner and a resident regarding a no left turn at the potential Morrisville Parkway and Crabtree Crossing intersection. *Director Tanner* stated that the discussion was based on ways to mitigate cars from heading directly into the Preston neighborhood if Crabtree Crossing Parkway was built. There is a Morrisville picture, and an individual citizen's picture. Both equally important, and the discussion was based on balancing those needs. *Member Groce* expressed his discontent over the conversation *Director Tanner* had with the resident.

A recess was taken at 7:57 pm

The meeting resumed at 8:16 pm

8. Public Comment Session - New Business

2017-299-0: Amendment to the Future Land Use Plan and Zoning Map for 0 Wilson Road (Wake County PIN 0754796300). Located in the vicinity of Fairbanks Road and Flip Trail

Eliot Ward, Planner I, presented an Amendment to the Future Land Use Map (LUP 17-01) and the Zoning Map (REZ 17-02) as well as a Consistency Statement for REZ 17-02. The applicants are requesting amendments to approximately 0.7 acres of property, known as 0 Wilson Road, located in the vicinity of Fairbanks Road and Flip Trail. The request is to zone the property to

Low Density Residential (LDR) District. They plan to build a new, detached single family dwelling on the property. The subject property lies within the Town of Cary's Extraterritorial Jurisdiction, but in accordance with NCGS must be annexed into the Town of Morrisville since it is located closer to Morrisville's corporate limits. By annexing, the site to connect to municipal utilities. Town Council will vote on the annexation as well. Town of Cary has offered a written consent for the annexation.

The current Cary zoning (R-20) focuses on half-acre lots and allows a maximum density of 2.17 du/ac. The proposed zoning for the site in question is Low Density Residential (LDR) which allows a minimum of 8000 square foot lots and a density no greater than 4.5 du/ac. As shown on the map, the property is a "flag lot", and would only permit one dwelling at this site due to the street frontage requirement. The lot fronts on Fairbanks Road with enough width to allow one driveway. Although, the petitioner has indicated that they plan to construct a single-family home on the property. If the request is approved, any use permitted in the LDR district would be permitted on the site.

Chairman Prichard then opened the floor to public comment:

1. **John Wilson** of 1728 Fairbanks Road, Morrisville, NC. As president of the Woods at Fairbanks HOA, he was representing the neighborhood community. He wanted to welcome the applicants to the neighborhood and voice some questions and concerns on behalf of the HOA. The first item is conformity with the covenants of the existing homes. New construction could impact the existing retention pond used by this neighborhood. The maintenance of the pond is currently the responsibility of the HOA. Lastly, the existing mailboxes are placed in a hub and he wanted to know if the new homeowners will use their boxes or install a free-standing mailbox.
2. **Mike Montpetit** of 107 Carnie Court, Morrisville, NC. His home is adjacent to the site. He works as a realtor and questioned the timing of the sale as his contract to market the property was cancelled shortly before the sale took place. He was not sure what the intention was of the seller or the buyer. He wanted to see the design for the home, as he is concerned about its compatibility with the homes in the area and the character of the neighborhood. He also asked if there could be a driveway from Fairbanks Road.
3. **Michelle and Terry Wells**, property owners for the subject parcel. The Wells' intention is to build their retirement home and reside in it. They plan to house their parents in the home, which will be a ranch "craftsman" style home. They want their home to conform to the neighborhood and they have no issue with any of the concerns of the neighbors.
4. **Edoardo Tiartarahardia of 104 Carnie Court, Morrisville, NC.** He wanted to know where the front of the property will be located. Will it be on Wilson Road or Fairbanks Road?
5. **Susan Montpetit** of 107 Carnie Court, Morrisville, NC. Her concern is the change in zoning. Cary was one house per lot, whereas Morrisville would allow up to 4.5 du/ac. She wanted to know why Medium Residential Density was not chosen.

Public comment was closed.

Chairman Prichard asked for more information about the zoning classification. *Mr. Ward* explained that the requested zoning is for Low Density Residential District (LDR), which requires a minimum of 8000 square feet per lot with up to 4.5 dwelling units per acre (du/ac). Cary's zoning district is R-20, which focuses on half-acre lots with up to 2.17 du/ac. The Medium Residential District (MDR) permits townhomes whereas the LDR district does not. This is why the LDR, not the MDR district, is proposed. The Very Low Density Residential (VLDR) district, which has a lower density than LDR, requires a minimum lot size of 40,000 sf. The subject property is only 30,500 square feet. Therefore, if zoned to the VLDR district the property would be nonconforming. The LDR District was proposed to maintain the single-family detached character of the neighborhood.

Mr. Ward explained that due to the configuration of the lot, there would be a long driveway off of Fairbanks Road. Fairbanks will be their only public access.

Director Tanner explained that each parcel in the LDR district must have at least 60 feet of lot frontage on a public street, and there was not enough frontage on Fairbanks to meet this requirement, and there was no access to Gretchen Lane. Therefore, there was no way to subdivide the parcel to create more than one lot. At this time, only one home could be built on this lot.

Director Tanner explained that standard soil erosion control requirements would be put into place to divert runoff from the property in question during any construction. The home would not be required to use the HOA's stormwater pond.

Member Groce wanted to know if there was adequate room at the end of Fairbanks for emergency vehicles. *Director Tanner* replied that there was an existing temporary turnaround for emergency ingress/egress.

MOTION: *Member Taylor* made a motion to recommend approval of Resolution 2017-299-O-A of the Morrisville Town Council pertaining to the Amendment of the Future Land Use Plan for property commonly known as O Wilson Road and located in the vicinity of Fairbanks Road and Flip Trail (LUP 17-01). *Member Botha* seconded the motion, which was approved unanimously by a vote of 5-0.

MOTION: *Member Taylor* made a motion to recommend to approval of Resolution 2017-299-O-B of the Morrisville Town Council pertaining to the adoption of the Plan Consistency Review Statement for the proposed Zoning Map Amendment for the property commonly known as O Wilson Road and located in the vicinity of Fairbanks Road and Flip Train (REZ 17-02) as follows:

The requested Zoning Map Amendment will rezone the subject property to Low Density Residential (LDR) district and is consistent with the Comprehensive Plan because:

- A. The Town of Morrisville Land Use Plan, as recently amended, recommends Low Density Residential (LDR) district zoning of the property and Low Density Residential (LDR) district zoning is proposed.
- B. The requested zoning map amendment will promote growth and development that contributes to and builds upon the Town's overall image as a well-planned, attractive, livable,

and unique community in the Triangle Region, as recommended by Policy 1A in the 2009 Land Use Plan.

- C. The requested zoning map amendment is consistent with Policy 1E of the 2009 Land Use Plan as it will promote detached residential land uses outside activity centers and in context with surrounding uses.

As a result, the zoning map amendment is consistent with the Town of Morrisville's adopted plans. In addition, the requested zoning map amendment is compatible with existing and proposed uses surrounding the subject property and will result in a logical and orderly development pattern and is therefore, reasonable and in the public interest.

The motion was seconded by *Member Langston*, and approved unanimously by a vote of 5-0.

MOTION: *Member Taylor* made a motion to recommend approval of Ordinance 2017-299-0 of the Morrisville Town Council approving a Zoning Map Amendment for property commonly known as 0 Wilson Road and located in the vicinity of Fairbanks Road and Flip Trail to the Low Density Residential District. *Member Botha* seconded the motion and it was approved unanimously by a vote of 5-0.

9. Staff Comments

Director Tanner announced the winner of the Summer Yard of the Season, with a theme of Sustainability. There was one entry, 104 Button Court, which won the previous year.

The second issue is the Yard of the Season process. Currently, it is held four times a year. Traditionally, most of the entries are submitted by staff with little participation among Morrisville residents. There is public participation once the entries are posted on social media. Continuing the program is up to the Planning and Zoning Board. An alternative could be to hold the event once a year, specifically during the Holiday season with one larger prize.

Member Botha agreed with promoting the event on an annual basis. *Member Groce* agreed, although specifying that the event be inclusive of all holidays.

Member Langston would like to see two "Yard of the Season" events. For example, Holiday and spring events would acknowledge two "special" seasons. *Member Taylor* leaned in the same direction.

Chairman Prichard agreed that he would like to continue the Community Appearance's work. *Director Tanner* informed the Board that the Yard of the Season was promoted through the HOAs as well as email blasts and other social media. The consensus of the Board was to continue the program hosting two events annually. One in the Spring and one Holiday-themed in the winter.

Director Tanner reviewed the September 2017 Planning Newsletter. There were no new applications submitted or items approved by staff. However, the Town Council did approve the funding for the Food Hub site.

Director Tanner also informed the Board that the current open seat is for the Extra Territorial Jurisdiction (ETJ) seat. There is also a vacant ETJ seat open on the BOA. *Chairman Prichard*

asked Director Tanner to forward the mailing list to the former ETJ member who was willing to assist with the recruitment.

10. Planning and Zoning Board Comments

Chairman Prichard informed the Board that Town Council presented a Proclamation at a recent meeting proclaiming October 2017 as Community Planning Month. It was adopted on October 10, 2017.

Member Groce made a statement related to a previous item on the agenda.

11. Upcoming Term Expirations

None

12. Upcoming Events

None

13. Adjournment

Member Botha made a motion to adjourn the meeting. *Member Langston* seconded the motion, which was approved unanimously.

The meeting adjourned at 9:18 pm.

Peter Prichard,
Planning and Zoning Board Chair

Marty Saunders,
Secretary to the Board

Date

Date